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October 1, 2021

**BY ECF**

Hon. Denise L. Cote  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl St. New York, NY 10007-1312

*Granted.*  
*Denise Cote*  
*10/4/21*

Re: U.S. v. Victor Ahaiwe, Cr. No. 20-179 (DLC)

Your Honor:

This Honorable Court provided defense counsel until today to relay whether Mr. Victor Ahaiwe would pursue his Rule 33 motion for a new trial or whether he would proceed to a sentencing hearing. I scheduled a legal call with Mr. Victor Ahaiwe for yesterday, but it did not take place. I do not know whether Mr. Ahaiwe refused the legal call or whether it was an issue related to MDC personnel moving him from unit. In any event, I have scheduled and confirmed another legal call for Monday, October 4, at 10:30 am, with Mr. Ahaiwe.

I respectfully request that the Court grant me until next Monday, October 4, to finally answer how Mr. Ahaiwe will proceed, after attempting to provide him counsel. In the event Mr. Ahaiwe does not wish to communicate with counsel, I will also relay that information to Your Honor. The Court and the government should also be aware that Mr. Ahaiwe sent me a letter, titled "Motion for Ineffective Assistance of Mr. Leo Aldridge", in which he seeks my removal from the case.

Based on that letter, and the one conversation I have had with Mr. Ahaiwe, it is my understanding that his unwavering desire is to seek a new trial based on allegations that he was not provided effective assistance of counsel. It is also my expectation that, even if the October 4 legal call takes place, Mr. Ahaiwe's position will not change. For the above-stated reasons, I respectfully request until next Monday to inform the Court whether I established communication with Mr. Ahaiwe and, if so, whether, as expected, he indeed will continue to seek a new trial under Rule 33.

Respectfully,

*S/Leonardo M. Aldridge*

Cc AUSAs Kevin Mead and Jun Xiang